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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/847,005      | 05/02/2001  | Gabriel K. Wong      | DGMMP001C3          | 5364             |

7590

01/25/2005

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EXAMINER

PAN, YUWEN

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                             |  |
|------------------------------|-------------------------------|-----------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>09/847,005 | Applicant(s)<br>WONG ET AL. |  |
|                              | Examiner<br>Yuwen Pan         | Art Unit<br>2682            |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 126-205 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 126-205 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/17/04 has been entered.

**DETAILED ACTION**

***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Paging Method and Apparatus.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 126-205 are rejected under 35 U.S.C. 102(b) as being anticipated by Crisler et al (US005278833A).

Per claim 126, 141, 146, 161, 166, 181, 186, and 201, Crisler discloses a method and apparatus (see figure 1) of communicating data comprising: transmitting a first signal from a communication controller to at least one network node including a first node, the first signal including information relating to a specific timeslot in which the first node may transmit a first

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request signal to the communication controller (see figure 4, column 6 and lines 55-61); receiving the first request signal transmitted from the first node to the communication controller in response to the first signal, said first request signal including a request for allocation of time for transmitting a specified amount of data from the first node to the communication controller (see column 5 and lines 18-27); transmitting a second signal from the communication controller to the first node in response to the first request signal, said second signal allocating at least one timeslot to the first node for transmitting the data to the communication controller; and receiving the data transmitted from the first node to the communication controller in response to the second signal (see column 5 and lines 25-45).

Per claims 127, 147, 167, and 187, Crisler further teaches that the data received from the first one in response to the second signal is provided in the at least one timeslot allocated (see column 5 and lines 33-36).

Per claims 128, 148, 163, 168, 188, 203, Crisler further teaches that the data comprises both message and protocol information (see column 5 and lines 54-60).

Per claims 129-131, 142-144, 149-151, 164, 169-171, 183, 184, 189-191, and 204, Crisler further teaches that the data comprises a plurality of successive packets, wherein the specified amount of data requested comprises a total number of the successive packets, wherein each of the successive packets includes both message and protocol information (see figure 2B, column 5 and lines 33-36, 54-60).

Per claims 132, 152, 162, 172, 182, 192, and 202, Crisler further teaches that the specific timeslot in which the first node may transmit the first request signal is one of a series of timeslots occurring repeatedly after transmission of the first signal from the communication controller (see column 2 and lines 55-65).

Per claims 133, 134, 145, 152, 165, 173, 185, 193, and 205, Crisler further teaches transmitting a third signal from the communication controller to at least one network node including a second node (see figure 1 and item 101), the third signal including information relating to a second specific timeslot in which the second node may transmit a second request signal to the communication controller; and receiving the second request signal transmitted from the second node to the communication controller in response to the third signal, wherein the second request signal is received from the second node by the communication controller after transmission of the second signal allocating the at least one timeslot to the first node for transmitting the data, and prior to receipt of all the data transmitted from the first node (see column 5 and line 66-column 6 and line 7).

Per claim 135-137, 155-157, 175-177, and 195-197, Crisler further teaches that said first request signal and said data are received by the communication controller via a first channel, and wherein the second signal and the first signal are transmitted to the first node via a second channel, wherein the first channel is provided in a first frequency range, and wherein the second

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channel is provided in a second frequency range, wherein the first request signal is provided on a separate frequency within the first frequency range than the data (see column 3 and lines 41-60).

Per claims 138, 158, 178, and 198 Crisler further teach that communication controller comprises a base station, and wherein said first node comprises a pager device (see column 6 and lines 25-36).

Per claims 139, 159, 179, and 199, Crisler further teaches that teaches that the data received from the first one in response to the second signal is provided in the at least one timeslot allocated (see column 5 and lines 33-36), both message and protocol information (see column 5 and lines 54-60), a plurality of successive packets, wherein the specified amount of data requested comprises a total number of the successive packets, wherein each of the successive packets includes both message and protocol information (see figure 2B, column 5 and lines 33-36, 54-60), the specific timeslot in which the first node may transmit the first request signal is one of a series of timeslots occurring repeatedly after transmission of the first signal from the communication controller, said first request signal and said data are received by the communication controller via a first channel, and wherein the second signal and the first signal are transmitted to the first node via a second channel, wherein the first channel is provided in a first frequency range, and wherein the second channel is provided in a second frequency range, wherein the first request signal is provided on a separate frequency within the first frequency range than the data (see column 3 and lines 41-60), wherein the second signal includes an address identifying the first node (see column 5 and lines 18-20).

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Per claims 140, 154, 160, 174, 180, 194, and 200, Crisler further teaches transmitting a third signal from the communication controller to at least one network node including a second node (see figure 1 and item 101), the third signal including information relating to a second specific timeslot in which the second node may transmit a second request signal to the communication controller; and receiving the second request signal transmitted from the second node to the communication controller in response to the third signal, wherein the second request signal is received from the second node by the communication controller after transmission of the second signal allocating the at least one timeslot to the first node for transmitting the data, and prior to receipt of all the data transmitted from the first node (see column 5 and line 66-column 6 and line 7).


### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 703-305-7372. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Yuwen Pan  
January 20, 2005

  
VIVIAN CHIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600  
1/24/05